

12/12/97
JC11 U.S. PTO



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Attorney's Docket No: 05552.1337-04

Prior Application: 08/475,826

Art Unit: 1819

Examiner: B. Stanton

SIR: This is a request for filing a

Continuation Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 08/475,826 filed June 7, 1995 of Mathias Gehrmann; Gerhard Seeman; Klaus Bosslet; Jörg Czech for FUSION PROTEINS FOR PRODRUG ACTIVATION.

1. Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 08/475,826 as originally filed on June 7, 1995.
2. Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. Cancel Claims _____.
4. A Preliminary Amendment is enclosed.
5. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 and 4 above.

| For | : Number Filed | : Number Extra | : Rate | : Basic Fee \$790.00 |
|---|----------------|----------------|------------------------|----------------------|
| Total | : | : | : | |
| Claims | : 3-20= | : | : x\$ 22.00= : | \$ -0- |
| Independent | : | : | : | |
| Claims | : 1-3= | : | : x\$ 82.00= : | -0- |
| Multiple Dependent Claim(s) (if applicable) | | | : +\$270.00= : | -0- |
| | | | Total = : | \$790.00 |
| | | | Reduction by ½ for | |
| | | | filing by small entity | |
| | | | TOTAL FILING FEE = : | \$790.00 |

6. A check in the amount of \$1740.00 to cover the filing fee and petition for time is enclosed.

7. The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.

8. Amend the specification by inserting before the first line, the sentence:
--This is a continuation of application Serial No. 08/475,826, filed June 7, 1995, which is a divisional of Serial No. 08/404,949, filed March 15, 1995, which is a continuation of Serial No. 08/129,379, filed September 30, 1993 which is incorporated herein by reference.--

9. New formal drawings are enclosed.

10. The prior application is assigned of record to: Behringwerke Aktiengesellschaft at Reel 6738, Frames 0258-0260.

11. Priority of application Serial No. P42331528, filed on October 2, 1992 in the Federal Republic of Germany is claimed under 35 U.S.C. § 119. A certified copy is on file in the prior application.

12. A verified statement claiming small entity status
 is enclosed or is on file in the prior application.

13. The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Heftet, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg.

No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Dirk D. Thomas, Reg. No. 32,600; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanho Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867.

14. The power appears in the original declaration of the prior application.

15. Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.

16. Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315.

17. Recognize as associate attorney _____
(name, address & Reg. No.)

18. Also enclosed is _____

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, serial no. 08/475,826, filed June 7, 1995, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested,

such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: *Carol P. Einaudi*
Carol P. Einaudi
Reg. No. 32,220

Date: December 12, 1997

LAW OFFICES

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